CoStar Realty Information, Inc. v. Waldman et al Doc. 7

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February 24, 2006

ELECTRONIC FILING

Honorable Roger W. Titus
U.S. District Court Judge
U.S. District Court for the Southern District of Maryland
U.S. Courthouse
6500 Cherrywood Lane
Greenbelt, Maryland 20770

Re: CoStar Realty Information, Inc. v. Craig Waldman, et al.
Civil Action No. RWT-05-3432

Dear Judge Titus:

This firm represents Plaintiff CoStar Realty Information, Inc. ("CoStar") in the above-referenced case. We file this report in accordance with this Court's February 13, 2006 letter order concerning service and default issues.

Default would be premature in this case because the summons issued was made returnable in 60 days, instead of 20 days as provided by the Federal Rules. When we raised this issue with the Clerk's office, docketing clerk Shirley Frank insisted that 60 days was the correct amount of time for out-of-state parties. When we disagreed with her understanding of the Federal Rules, she informed us that the summons could not be amended and that there was nothing we could do.

Defendants have been served. We understand that Defendant Craig Waldman has retained counsel and is aware that his responsive pleading is due on or before March 3rd. We have been unable to confirm whether Defendant Kary Moore has retained counsel. That responsive pleading is due on or before March 17, 2005, based upon the 60-day return date on the summons.

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We are available at your convenience to discuss this matter further.

Sincerely,

Hugh J. Marbury

HJM/kaf

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